



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 016778/0440

Applicant: Michihiro OHSUGE

Title: MULTI-PATH DETECTION CIRCUIT AND METHOD FOR A
CDMA RECEIVER

Serial No.: 09/991,876

Filed: November 26, 2001

Examiner: Unknown

Art Unit: 2661

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**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any documents herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

RELEVANCE OF EACH DOCUMENT

A translation of a portion of a Japanese Office Action that issued February 5, 2003 with respect to a counterpart Japanese patent application is provided below.

"Reason B

The invention related to the following claims of this application is the same as the invention described in the specifications or diagrams that were initially appended to the application form of the following patent for which a patent was applied prior to the date of the present application, and for which the disclosure appeared after the submission of the present application. Moreover, because the inventor of the present application is not the same party that made the aforementioned invention related to the patent application prior to the present application, and because, at the time of this application, the applicant is not the same as the applicant that submitted the

aforementioned patent application, a patent cannot be received pursuant to the stipulations of Article 29, Section 2 of the Japan Patent Law.

(Regarding Reason B)

Claims: 1, 5, 12

Cited Literature: 1

Remarks

Described in Cited Literature 1 (paragraph Nos. (0033) to (0048) and Figures 2 to 4, and 6) is the fact that the maximum peaks are respectively detected for multiple search windows established by partitioning one time slot into multiple time periods, and the respective detected maximum peaks are stored in the pass storage unit. This is equivalent to the fact that the maximum values for every data block are searched for in relation to the delay profile data of the invention related to Claims 1, 5, and 12 of the present application, and the peak information, which is the search results for each data block, is stored. There is no unique difference between the invention related to Claims 1, 5, and 12 of the present application and that of Cited Literature 1, and they are essentially equivalent.

List of Cited Literature

1. Japanese Patent Application 2000-163572 (Japanese Unexamined Patent Application Publication 2001-346239)

Record of Prior Art Literature Search Results

Fields searched - IPC 7th Ed. - H04J 13/00-13/06
H04B 1/69-1/713
H04B 7/08, 7/27

Prior Art Literature

Japan Unexamined Patent Application Publication 2000-134135 (Performing maximum value search by placing a mask before and after the detected peak phase and updating the delay profile. When the pass fluctuations are small, the threshold value used the previous time is applied.)

Japanese Unexamined Patent Application Publication H11-317694 (The correlated peak timing is detected in block units by integrating the correlation values of the matched filter output for each block.)

This Record of Prior Art Literature Search Results does not constitute a reason for rejection, but regarding corrections, the fact that examples of well-known technology are cited cannot be avoided."

Applicant's statements regarding the Japanese Office Action are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, what is asserted in the Japanese Office Action.

Applicant respectfully requests that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO SB/08 be returned in accordance with MPEP §609.

Respectfully submitted,

16 April, 2003
Date

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Substitute for form 1449B/PTO

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use as many sheets as necessary)

Sheet	1	of	1
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Complete if Known

Application Number	09/991,876
Filing Date	11/26/2001
First Named Inventor	Michihiro OHSUGE
Group Art Unit	2661
Examiner Name	Unknown
Attorney Docket Number	016778-0440

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

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FOREIGN PATENT DOCUMENTS

[illegible]

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ^a

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.**